

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Adan, PRRIAGA,
AKA: Adan, ARRIAGA

Defendant

Magistrate Docket No.

08 MJ 0172
08 JAN 22 AM 10:50

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the DEPUTY
United States

The undersigned complainant, being duly sworn, states:

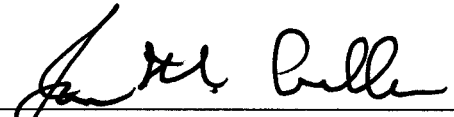
On or about **January 20, 2008**, within the Southern District of California, defendant, **Adan PRRIAGA, AKA: Adan ARRIAGA**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **22nd** DAY OF **JANUARY 2008.**


Jan M. Adler

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**Adan, PRRIAGA****AKA: Adan ARRIAGA****PROBABLE CAUSE STATEMENT**

Agents assigned to the San Diego Sector, Smuggling Interdiction Group, Criminal Alien Squad (SIG/CAS) utilize various sources to locate and arrest previously deported criminal aliens who have returned to the United States in violation of the Immigration and Nationality Act.

On January 20, 2008 Officer B. Brown and Officer S. Odom of the San Diego Police Department were on patrol in marked patrol car. While driving eastbound on 2100 National Avenue, they saw two males dressed in dark clothing dart westbound into the alley of 2000 National Avenue.

The officers drove into the alley and looked for the subjects. A short time later, they saw a male wearing dark clothing walking westbound in the south alley of 2000 National Avenue. They stopped and spoke with the male.

Officers identified the subject as the defendant **Adan PRRIAGA**. The defendant appeared nervous. He had dirt on his right shoulder and his right pinky was cut and bleeding. It appeared the defendant was the same male that ran from them earlier. They conducted a field interview and records checks. Though further checks it was revealed that the defendant was on probation for possession of a loaded firearm. It was also revealed that he was a previously deported alien under investigation by the United States Border Patrol. SDPD officers contacted Border Patrol Agent B. Soto regarding their encounter with the defendant who then instructed them to hold the subject for a immigration evaluation.

Agent Soto and E. Blas arrived at the San Diego Police Station and met with Officer Odom and Officer Brown. Agent Soto then approached the defendant and identified himself as United States Border Patrol Agent. Agent Soto questioned the defendant as to his identity and his immigration status. The defendant admitted that he is in fact **Adan PRRIAGA**. Agent Soto asked him about his citizenship. He stated that he was born in Mexico. Agent Soto questioned him if he had any immigration documents that would allow him to remain in the United States legally. The defendant stated that he did not. At approximately 9:00 P.M., the defendant was arrested and transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on January 17, 2006, through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.